G. R. S. App. F. IX-4]

File No. 171-42

Previous References.

Serial Nos. 1 - 2

Later References.

CS 2263 (17-18)
Chi. Dep. NO. 439/45-46.
Chi Dep. NO. 106/46-47.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for December 1942

SUBJECT.

Certain changes of Jurisdiction of the Courts of the First and Second Magistrates of Shimoga and the First Class Magistrate of Bhadravati

To

No. P. 45-56 dated 28th December 1942

The Compiler,
Mysore Gazette, Bangalore

Notifies

From
The Registrar High Court
No. Roc 536 Dt 1942
Suggests certain areas of jurisdiction of the Courts of the First, and Second Magistrates of Shimoga and the First Class Magistrate of Bhadravati.

In the line of allotment of work of the Magistrates, it is proposed to ask the Magistrates to try cases relating to Special and Local Laws in addition to cases under the Penal Code.

It is submitted in this Connection that the Assistant Commissioners and Amildars who are Ex-Officio Magistrates have been very recently empowered to take Cognizance of Cases under the Defence of India Act and the Rules thereunder. The Assistant Commissioners Magistrates have further been empowered to take Cognizance of Cases under the public Security Act also.

In View of this it may be possible that the number of cases coming up for trial before the First and Second ~~Class~~ Magistrates of Shimoga and the First Class Magistrate of Bhadravathi might be reduced

Changes of jurisdiction of Criminal courts in Shimoga dist

Continuation Sheet. File No. 3140 of Page.
~~Current No.~~

as a result of the Ex-Officio Magistrates trying the cases under the Defence of India Act and Public Security Act in their respective jurisdictions

It is for orders as to whether the Registrar, Hon'ble Court may be consulted in the matter

CSR 24/12

A draft of the letter is also submitted

Mew 24/12

Law Secy.)

The arrangements proposed by the D.M. may be adopted as recommended by the Registrar

Yes. CSR 24-12-42

25/12

Secy.

2514/941
P

R. O. C. No. 123
D. Dis. 41-42

Enc: one

REV. SECRETARIAT
8 NOV 1941
NOTED

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 7th November 19 41.
8a

FROM

T. SHAMIENGAR, ESQ., B.A., B.L.,
Registrar, High Court of Mysore.

To

LEGY. LAW DEPT.
8 NOV. 1941.
GOVT OF MYSORE

H. V. NARAYANA RAO, Esq., B.A.,LLB.,
Secretary to the Government of Mysore,
Law Department, BANGALORE.

SIR, 8/11/41

With reference to the Chief Secretary's letter No.P.5032, dated 5th April 1941, forwarding a copy of Government Proceedings No. P.5003-17 Pol. 71-40-2, dated 5th April 1941, reviewing the report on the administration of the Police Department for 1939-40, in which the Inspector General of Police has referred to the dilatory disposal of cases in Magistrates' Courts, I am directed to enclose a copy of the Proceedings of the High Court Dl. Dis 123/41-42, dated 2nd November 1941, and to state that the District Magistrate of Shimoga is being consulted on the question whether any new arrangements for proper disposal of magisterial work in his district are really necessary and particularly whether the Second Magistrate of Shimoga should give up going to Chennagiri every month, which obviously upsets his work.

for perusal.

Ordered to await further proposals if any.

8/11

I have the honour to be,
Sir,
Your most obedient servant,

T. Shamiengar.
REGISTRAR.

PROCEEDINGS OF THE HIGH COURT OF MYSORE.

READ:

Letter No.P.5032 dated 5th April 1941 from the Chief Secretary to Government forwarding a copy of Government Proceedings No.P.5003-17/Pol. 71-40-2, dated 5th April 1941, reviewing the report on the administration of the Police Department for 1939-40.

2. Letter No.J.1.C.745/40-41, dated 16th June 1941 from the District Magistrate, Shimoga, forwarding a list of 26 cases mentioned in the said Administration Report in which the trial did not commence until three months after the presentation of the charge sheet.

3. Letter No.J.1 C.745/40-41 dated 16th October 1941, from the District Magistrate, Shimoga, forwarding the explanation of the Second Magistrate, Shimoga, (Mr. M. Narasimhaswami), for the delay taking up the 26 cases in question.

Order D, Dis 123/41-42

Bangalore, dated ~~31st October~~ 2-11-1941.

The list is a very serious one and the explanations, which have reached the High Court after great delay, cannot be accepted, except so far as accused persons were absconding. It is useless to say that these cases were not taken up because there were other cases 6 months old. Almost all these cases were 6 months old before they were taken up for trial. The duration of cases must be calculated correctly from the proper date of institution.

The District Magistrate should have watched these cases. If he were really satisfied that the Second Magistrate had more work than he could do, the District Magistrate should have proposed other arrangements for the magisterial work of his district.

For REGISTRAR.

3140 g 42

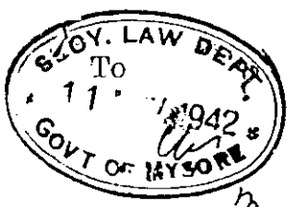
R. O. C. No. 536 41-42
D. Dis.

Enc: Two.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 10 November 1942.

FROM

N. SAMAIENGAR, Esq., B.A., LL.B.,
~~T. SHAMIENGAR, Esq., B.A., B.L.,~~
Registrar, High Court of Mysore.



To

C. NARAYANASWAMY NAIDU, Esq., B.A., B.L.,
Secretary to Government of Mysore,
Law Department,
BANGALORE.

SIR,

I am directed to refer to the High Court letter Dl.Dis No.123 of 1941-42, dated 8-11-41, stating that the District Magistrate of Shimoga was being consulted on the question whether any new arrangements for the proper disposal of magisterial work in his district were really necessary and particularly whether the Second Magistrate of Shimoga should give up going to Chennagiri, which obviously upset his work.

The District Magistrate of Shimoga, finding that the work of the Second Magistrate of Shimoga is very heavy, has stated that the First Magistrate of Shimoga and the First Class Magistrate of Bhadravathi can take up some more Criminal Work and has proposed certain arrangements for the proper disposal of magisterial work among these three Courts. A copy of his letter is enclosed, as also a tabular statement showing the present and proposed jurisdiction.

By the proposed arrangements the iteneration to Chennagiri by the Second Magistrate of Shimoga will be abolished and some relief will given to him.

The Judges of the High Court are of opinion that the arrangements proposed by the District Magistrate are reasonable and recommend that they may be adopted.

I am therefore to request that the Government may be pleased to order that the proposed changes of jurisdiction of the Courts of the

First

First and Second Magistrates at Shimoga and the First Class Magistrate at Bhadravathi should take effect from 1st January 1943.

I have the honour to be,

Sir,

Your most obedient servant,

N. Samaungar

REGISTRAR.

Comparitive statement showing the redistribution of jurisdiction among the Special First and Second Magistrates' Courts at Shimoga and the First Class Magistrate's Court at Bhadravathi proposed by the District Magistrate, Shimoga.

	Present jurisdiction.	Proposed jurisdiction.
Second Magistrate's Court, Shimoga.	i) All the second and third class cases of Shimoga town under the Penal Code;	
	ii) all the second and third class cases arising in the taluks of Chennagiri, Honnali and Thirthahalli and the Kumsi Sub-Taluk under the Penal Code and all the special and local laws;	All the second and third class cases arising in the taluks of Chennagiri. Honnali and Thirthahalli nd the Kumsi Sub-Taluk under the Penal Code and all the special and local laws.
	iii) all the second and third class cases arising in Shimoga Taluk (excluding Bhadravathi Town) under the Penal Code and the Mysore Excise and Forest Acts;	
	iv) all committal cases of Chennagiri and Honnali Taluks and the Kumsi Sub-Taluk.	All committal cases of Chennagiri and Honnali Taluks and the Kumsi Sub-Taluk
	In addition, iteneration to Chennagiri for a week in the month for the trial of second and third class cases of Chennagiri Taluk.	(To be abolished)
	i) All the first class cases arising in Shimoga Taluk (except Bhadravathi Town) and in the Taluks of Chennagiri, Honnali and Thirthahalli and the Kumsi Sub-Taluk under the Penal Code and all the special and local laws;	i) All the first class cases arising in the taluks of Chennagiri Honnali and Thirthahalli and the Kumsi Sub-Taluk and in the Shimoga Town and the Shimoga Taluk (~~extending~~ excluding Bhadravathi Town and range) under the Penal Code and under the special and local laws.
	ii) all the second and third class cases of the Shimoga Town under all the special and local laws;	ii) all the second and third class cases of Shimoga Town under the Penal Code and all the Special and local laws;

	Present jurisdiction.	Proposed jurisdiction.
	iii) all the second and third class cases of the Shimoga Taluk (excluding Bhadravathi Town) under all the special and local laws (except under the Mysore Excise Act and the Mysore Forest Act);	iii) all the second and third class cases of the Shimoga Taluk (excluding Bhadravathi Town and Range) under the Penal Code and under the Special and local laws including the Mysore Excise and Forest Acts;
	iv) all the committal cases of Shimoga Town and Shimoga Taluk (except Bhadravathi town) and Thirthahalli Taluk.	iv) all committal cases of Thirthahalli Taluk, Shimoga town and Taluk (excluding Bhadravathi Town and Range).
First Class Magistrate's Court, Bhadravathi.	1) All first, second and third class cases arising in Bhadravathi Town under the Penal Code and the special and local laws (except ~~Bhadravathi~~ under the Municipal Act).	1) All the cases of First second and third classes arising in Bhadravathi Town and Range under the Penal Code and the special and local laws.

N. Samaiengar
Registrar

Letter No.Jl.C.745/40-41 dated, Shimoga, the 27th March 1942 from the District Magistrate, Shimoga District, to the Registrar, High Court of Mysore, Bangalore.

With reference to your letter R.O.C.No.536/41-42 dated 1-11-41, calling for a report as to whether any new arrangements for the proper disposal of magisterial work in this District (Shimoga) are really necessary, and, particularly whether the Special Second Magistrate of Shimoga should give up going to Chennagiri every month, which obviously upsets his work, I have the honour to state that I have examined this matter closely in all its aspects. I have consulted personally the Magistrates in the District in this respect, watched the state of things in the Court of each Magistrate and collected necessary statistics and have pondered over the question anxiously. The position of the matter is as described below.

2. In this District, there are, at present, four criminal courts for the disposal of magisterial work of the District.

I. THE SPECIAL SECOND MAGISTRATE'S COURT, SHIMOGA.

This is a Second Class Magistrate's Court at Shimoga, but it is is a very heavy court. The present jurisdiction is (i) over all the second and third class cases of Shimoga Town under the I.P.C; (ii) over all the second and third class cases arising in the Chennagiri Taluk, Honnali Taluk, Thirthahalli Taluk and the Kumsi Sub-Taluk, under the I.P.C. and all the Special and Local Laws; (iii) over all the second and third class cases arising in Shimoga Taluk (excluding Bhadravati Town), under the I.P.C. and the Mysore Excise and the Forest Acts, and (iv) over all committal cases of Chennagiri and Honnali Taluks and the Kumsi Sub-Taluk. In addition, this Court itinerates to Chennagiri, for a week in a month, for the trial of second and third class cases of Chennagiri Taluk.

The work handled by this Court during the past three years and also during the current year up to date (25-3-42) is as shown below:-

Year	Cases pending at the beginning of the year	Cases received	Total for disposal	Cases disposed of	Cases pending at the close of the year.
1938-39	36	915	951	767	184 (6 cases pending for over 6 months)
1939-40	184	891	1075	888	187 (19 cases pending for over 6 months)
1940-41	187	1039	1226	1113	113 (No case pending for over six months)
1941-42 (up-to-date i.e., 25-3-42)	113	820	933	803	130 (6 cases pending for over 6 months)

I must say, this is a heavily worked Court. Being only a Second class Magistrate's Court, it has no powers to try cases summarily and cannot be invested either, with summary powers. So, all the cases in this Court are tried regularly and have to go through a regular trial. Further, the cases in this Court are mostly contested. I have myself seen the Magistrates of this Court working hard and sitting even late in Court on many days, in order to get through the work. In spite of the best efforts of the Magistrate of this Court, some cases remain over, and get delayed, for want of time. I am satisfied that this Court has more work than it could do, and that it needs some substantial relief. I think, it is possible to give this Court such a relief, by a suitable re-adjustment of the jurisdiction over the cases, as I shall suggest presently.

The itineration of this Court to Chennagiri for a week in a month, may, I think, be abolished. The periodical trips dislocate the work of the Court noticeably and are not after all necessary and are found not conducive ~~to the cive~~ to the prompt disposal of cases, besides being uneconomical There are sufficient bus services to bring people from the Chennagiri Taluk to Shimoga. In fact, the itineration to Chennagiri is only in respect of

/and there is no itineration in respect of the 1st class ca the second and third class cases of Chennagiri Taluk,/ In my opinion, this Jail there is no need for itineration in respect of the second and third class cases of this Taluk. The previous Magistrate and also the present Magistrate of this Court are also of the same view.

II. THE SPECIAL FIRST MAGISTRATE'S COURT, SHIMOGA.

This is a First Class Magistrate's Court at Shimoga, and has jurisdiction over (i) all the first class cases arising in the Shimoga Taluk (except Bhadravati Town), Chennagiri Taluk, Honnali Taluk, Thirthahalli Taluk, and the Kumsi Sub-Taluk, under the I.P.C. and all the Special and Local Laws; (2)all the second and third class cases of Shimoga Town, under all the Special and Local Laws; and (iii) all the second and third class cases of the Shimoga Taluk (excluding Bhadravati Town) under all the Special and Local Laws (except under the Mysore Excise Act and the Mysore Forest Act); and (iv) over all the committal cases of Shimoga Taluk (except Bhadravati Town), and Thirthahalli Taluk.

This Court has powers to try cases summarily and has no itineration work.

The following statement shows the amount of work handled by this Court, during the past theee years and also during the current year (1941-42) up-to-date (25-3-1942):

Cases pending at the beginning of the year.	Cases received during the year.	Total number of cases for disposal	Total number of cases disposed of.	Cases pending at the close of the year.	No. of I.P.C Cases.		No. of cases under Special and local Laws		Mis.cases under Sec 145 Crimi Nal P.C. etc.	
					Tried Regularly.	Tried Summarily.	Tried Regularly.	Tried summarily.	No. for disposal.	Disposed of.
2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12
57	681 (of which the no.from Shimoga Tk. was 614).	738	694	44 (No case pending for over 6 months)	77	21	31	565	39	30
	734 (of which the No.from Shimoga Tk. was 631).	778	724	54 (six cases pending over six months)	96	34	29	565	25	23

Contd.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
40-41	54	913 (of which the No.from Shimoga Tk. was 829).	967	897	70 (No case pending for over 6 months)	50	16	60	771	19	15
41-42 up-to-date i.e., (25-3-42).	70	849 (of which the No.from Shimoga Tk. was 790)	919	854	65 (Four cases pending for over six months)	61	4	34	755	35	26

The bulk of the cases for this Court are, as noted above, from the Shimoga Taluk. In fact, I see, the number of Shimoga Taluk cases are about 90% and of them, over 90% are petty cases under the Special and Local Laws (mostly Mysore Police Act), and, of them again, the bulk (about 90%) are tried summarily. The number of cases that have gone through a regular trial are not many. There have been also some miscellaneous cases (under Section 145 Cr.P.C. etc). On the whole, the work of this Court cannot be said to be heavy.

It is true that this Court is also a Civil Court, as ex-officio Additional Munsiff of Shimoga, from 2-1-1940, but, that is only secondary.

The civil work of this Court is only in respect of suits referred to it by the District Judge and is also not much, as is noted below:-

Suits pending at the beginning of the year.	Suits received	Total for disposal	Suits disposed of	Suits pending at the close of the year.

In my opinion, this Criminal Court could take more work, and we may increase its jurisdiction over cases, as I shall suggest presently.

III. FIRST CLASS MAGISTRATE'S COURT, BHADRAVATI (i.e., Assistant Commissioner and First Class Magistrate, Bhadravati).

This is a First Class Magistrate's Court at Bhadravati. It was constituted in March 1940, with the appointment of an Assistant Commissioner at Bhadravati for the newly formed Chennagiri Sub-Division in the District. It has jurisdiction over all classes of cases (i.e., all first, second and third class cases) arising in Bhadravati Town, under I.P.C., and the Special and Local Laws (except the Municipal Act). This Court has powers to try cases summarily.

The work handled by this Court is as shown below:

Cases pending at the beginning of the year	Cases received	Total for disposal	Cases disposed of.	Cases Pendinging at the close of the year	Cases tried summarily		Mis. cases
					Under I.P.C	Under Spl. & Local Laws.	
	78	78	62	16 (none pending for over six months).	18	48	2 (both disposed of).
16	410	426	415	11 (none pending for over six months.)	64	342	3 (one pending)
1	139	150	130	20 (five cases pending for over 6 months)	23	127	3 (two pending)

The criminal work of this Court is not heavy by itself. But the Magistrate of this Court has other duties to attend to viz., Municipal and general work at Bhadravati and Revenue Sub Division work of Chennagiri Taluk. None the less, I think, this Court may take some more criminal work, as suggested below, without inconvenience to other work.

In this connection, I may refer to the position regarding the Bhadravati Range. This is a distinct area in the Shimoga Taluk, and comprises Bhadravati Town, Bhadravati Hobli, Kuligere Hobli and Holehonnur

Holehonnur Hobli. It forms also the jurisdiction of the Police Range at Bhadravati. The present position in respect of the criminal jurisdiction over this area is peculiar. The criminal cases arising in this area come under the jurisdiction of three Courts now. The cases of Bhadravati Town only go to the Bhadravati First Class Magistrate's Court, while the cases arising in Bhadravati Range (outside the Bhadravati Town) come to the two Magistrate's Court at Shimoga, i.e., the first class cases (under the I.P.C. and all the Special and Local Laws) and the second and third class cases under the Special and Local Laws (exdept the Excise and the Forest Acts), to the Shimoga Special First Magistrate's Court, and the second and third classes under the I.P.C. and the Excise and the Forest Acts, to the Shimoga Special Second Magistrate's Court. This is not a happy or convenient arrangement. Particularly, this is very inconvenient to the Police of Bhadravati Range as they will have to attend in respect of the cases in their Range, three Courts in two different places, even on the same day. I think, it would be proper and better arrangement to extend the jurisdiction of the Bhadravati First Class Magistrate's Court, so as to bring under it, all cases (first, second and third class cases), under the I.P.C., and all the Special and Local Laws arising not only in Bhadravati Town but also in the Bhadravati Range. The jurisdiction of the Shimoga Special First Magistrate's Court and of the Shimoga Special Second Magistrate's Court in respect of all cases of this area may therefore be withdrawn, and transferred to the Bhadravati First Class Magistrate's Court.

IV. SPECIAL FIRST CLASS MAGISTRATE'S COURT, SAGAR.

This is a First Class Magistrate's Court at Sagar and is neither too heavy nor too light. It has jurisdiction over all classes of cases (i.e., first, second and third class cases) under the I.P.C. and all the Special and Local Laws, arising in the Taluks of Sagar, Sorab, Shikarpur and Hosanagar. It has power to try cases summarily. It itinerates to Shikarpur for a week in a month, and for two days to Sorab enroute to Shikarpur.

by this Court during the past three years is as shown below:-

YEAR	Cases pending at the beginning of the year.	Cases received during the year	Total No. of cases for disposal	Cases disposed of	Cases pending at the close of the year	No.of I.P.C. cases.		No.of cases under Spl. and Local Laws.		Mis. cases.
						Tried Regularly	Tried summarily	Tried Regularly	Tried summarily	
38-39	40	554	594	528	66 (none pending for over six months	79	73	25	311	9
39-40	66	608	674	615	59 (none pending for over six months).	128	59	22	340	16
40-41	59	749	808	731	77 (none pending for over six months).	128	92	15	437	3

The work is fairly normal for this Court and is neither too light nor too heavy. I think, there is no need or scope to make any change in its jurisdiction. It is best that it is left, as it is, without any change. The itineration of this Court may also continue.

3. While I do not propose any change in the number of Criminal Courts in the District or in the jurisdiction of the Court of the Special First Class Magistrate, Sagar, I think that a suitable redistribution of the jurisdiction of the other three Courts is necessary and desirable, so as to afford some substantial relief to the Special Second Magistrate's Court, Shimoga and to facilitate the speedy disposal of cases. For this purpose, and in view of what I have stated above in regard to each of these Courts, I would suggest the following changes in the jurisdiction of each of these three Courts:-

(1) The jurisdiction of the Special Second Magistrate, Shimoga, in respect of the second and third class cases of Shimoga Town under the I.P.C may be withdrawn from the Court of the Special Second Magistrate, Shimoga,

and may be transferred to the Court of the Special First Magistrate, Shimoga. This would give some substantial relief to the Second Magistrate and there would be no great strain to the First Magistrate who has summary powers and who could dispose of these cases expeditiously

(2) The jurisdiction of the Special Second Magistrate, Shimoga in respect of all the second and third class cases arising in Shimoga Taluk (excluding Bhadravati Town) under the I.P.C. and the Mysore Excise and the Forest Acts may be withdrawn and may be transferred thus:-

(i) In respect of such classes of cases arising in the Bhadravati Range (outside Bhadravati Town), to the First Class Magistrate, Bhadravati, (for reasons stated above).

(ii) In respect of such classes of cases arising in Shimoga Taluk (excluding Bhadravati Town and Range) to the Special First Magistrate, Shimoga.

This would also give some noticeable relief to the Special Second Magistrate, Shimoga, and there would be no great strain to the Bhadravati First Class Magistrate and the First Magistrate, Shimoga who have summary powers and who could dispose of these cases speedily.

(3) The jurisdiction of the Special First Magistrate, Shimoga, in respect of the first class cases (under I.P.C. and the Special and Local Laws), and the second and third class cases, under the Special and Local Laws, (except under the Excise and the Forest Acts), arising in the Bhadravati Range (outside Bhadravati Town) of Shimoga Taluk may be withdrawn and may be transferred to the First Class Magistrate, Bhadravati, for the reasons noted above. This would give the Special First Magistrate, Shimoga some relief, to off-set the additional jurisdiction he would get, as proposed, and there would be no great strain to the Bhadravati First Class Magistrate who has summary powers of disposal and who could dispose of these cases quickly.

(4) The itineration of the Special Second Magistrate's Court, Shimoga, may also be abolished, for the reasons noted above. This would also help the Second Magistrate, appreciably, in the posting of cases and th

the fixing of adjourned hearings, and there would be no dislocation of the work of the Court.

4. As a result of these proposals, it would mean the jurisdiction of each of these Courts would be changed thus:-

I. SPECIAL SECOND MAGISTRATE'S COURT, SHIMOGA.

This Court would cease exercise jurisdiction over: (i) the second and third class cases of Shimoga Town under the I.P.C., (ii)over all the second and third class cases arising in Shimoga Taluk (excluding Bhadravati Town) under the I.P.C., and the Mysore Excise and the Forest Acts. So this Court would have no jurisdiction over any class or kind of cases arising in Shimoga Town and Taluk. It would also cease to itinerate to Chennagiri Taluk.

This would, while affording substantial relief to this Court, give, at the same time, enough work for it, and would be of help to dispose of cases expeditiously.

The jurisdiction of this Court would then be thus:-

(i) Over all the second and third class cases arising in the Chennagiri Galuk, Honnali Taluk, Thirthahalli and Kumsi-Sub-Taluk under the I.P.C., and all the Special and Local Laws; (ii) over committal cases of Chennagiri Taluk, Honnali Taluk and Kumsi Sub-Taluk.

II. SPECIAL FIRST MAGISTRATE'S COURT, SHIMOGA.

This Court would exercise additional jurisdiction over: (i) nd and third class cases of Shimoga Town under the I.P.C., second and third class cases arising in Shimoga Taluk (excluding Bhadravati Town and Range) under the I.P.C. and the Mysore Excise and the Forest Acts.

This/Court would cease to exercise jurisdiction over (i) all the first class cases under the I.P.C. and the Special and Local Laws, and the second and third class cases under the Special and Local Laws (except the excise and the Forest Acts), arising in the Bhadravati Range (outside Bhadravati Town) in the Shimoga Taluk.

The jurisdiction, as proposed, for this Court would then be:- (1) over all the first class cases arising in the Chennagiri Taluk, Honnali Taluk, Thirthahalli Taluk and Kumsi Sub-Taluk, and in the Shimoga Town and the Shimoga Taluk (excluding Bhadravati Town and Range), under the I.P.C. and all the Special and Local Laws; (ii) over all the second and third class cases of Shimoga Town, under the I.P.C. and all the Special and Local Laws; (iii) over all the second and third class cases of the Shimoga Taluk (excluding Bhadravati Town and Range), under the I.P.C. and all the Special and Local Laws; and (iv) over all committal cases of Thirthahalli Taluk, Shimoga Town and Shimoga Taluk (excluding Bhadravati Town and Range).

III. FIRST CLASS MAGISTRATE'S COURT, BHADRAVATI.

This Court would exercise additional jurisdiction over all classes of cases (i.e., first, second and third class), arising in the Bhadravati Range (outside Bhadravati Town), under the I.P.C. and all the Special and Local Laws.

The jurisdiction, as proposed for this Court, would then be over all the cases (first, second and third class) arising in Bhadravati Town and Range, under the I.P.C. and all the Special and Local Laws.

5. The changes that I have proposed above relate entirely to the criminal jurisdiction over the Shimoga Taluk. At present, all these three Courts have jurisdiction over it. What I have now proposed is, in effect, that the jurisdiction over this Taluk may be entirely taken away from the Special Second Magistrate, Shimoga, and distributed properly between the two First Class Magistrates at Shimoga and at Bhadravati, as indicated above. This would simplify and improve the position, and afford the relief required for the Shimoga Special Second Magistrate's Court.

6. These proposed changes are, I consider, necessary and suitable, in the interests of expeditious disposal of the magisterial

work

work of this District. I accordingly recommend that they may be sanctioned and notified, with effect from a specified date.

COPY

REGISTRAR.

ale

P 4556/C5 171-42-2

28.12

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

Notification

In modification of the existing order regarding the jurisdiction of the Courts of the First and Second Magistrates Shimoga and the First Class Magistrate Bhadravati, Govt are pleased to direct that with effect from 2nd January 1943:-

(1) The First Magistrate Shimoga shall exercise jurisdiction in respect of all the First Class Cases arising in the Talukas of Channagiri Honnali, and Thirthahalli and the Kumsi Sub Taluk and in the Shimoga Town and the Shimoga Taluk (excluding the Bhadravati Town and Range) under the Penal Code and under the Special and local laws. He will

and Exercise jurisdiction in respect of all the Second and Third Class Cases of Shimoga Town under the Indian Penal Code and all the Special and local laws and also of the Shimoga Taluk (excluding Bhadravati Town and Range) under the Indian Penal Code and the Special and local laws including the Mysore Excise and Forest Acts and of all Committed Cases of Thirthalli Taluk, Shimoga Town and Taluk (excluding Bhadravathi Town and Range)

The Second Magistrate Shimoga shall with effect from that date Cease to Exercise jurisdiction over the Second and Third Class Cases of Shimoga Town under the Indian Penal Code and the Second and Third Class Cases

arising in the Shimoga Taluk (excluding Bhadravathi Town and range) under the Indian Penal Code and the Mysore Excise and the Forest Acts.

(2) The Second Magistrate Shimoga shall exercise jurisdiction over all the Second and Third Class Cases arising in the Talukas of Channagiri, Honnali and Thirthahalli and the Kumsi Sub Taluk under the Indian Penal Code and all the Special and local laws and all Committed Cases of Channagiri and Honnali Talukas and the Kumsi Sub-Taluk.

The itineration to Channagiri for a Week in the month for the trial of the Second and Third Class Cases of Channagiri Taluk ordered in G.O. No P 1395-7 (cts 47 in) 2 Sa a.a. 1930

is hereby abolished with effect from January 1943.

(3) The First Class Magistrate Bhadravathi shall exercise jurisdiction in respect of all the First, Second and third Class cases arising in the Bhadravathi Town and Range under the Indian Penal Code and the Special and local laws.

With effect from the said date Viz January 1943, the First Magistrate Shimoga shall Cease to exercise jurisdiction over the First Class Cases under the Indian Penal Code and the Special and Local laws and the Second and third Class Cases under the Special and Local laws (except the Excise and the Forest Acts) arising in the Bhadravathi Range (outside the Bhadravathi Town) and the Second

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GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

shall also cease to exercise jurisdiction over the Second and third Class Cases under the Indian Penal Code and the Excise and the Forest Acts arising in the said Area viz Bhadravathi Range.

The territorial jurisdiction of the ~~xxxxxxx~~ above three Criminal Courts in the Shimoga District, as modified above will be as follows:-

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Territorial Jurisdiction

(a) All the First class Cases arising in the talukas of Chennagiri, Honnali and Thirthahalli and the Kumsi Sub Taluka and in the Shimoga Town and the Shimoga Taluk (excluding Bhadravathi Town and range)

under the Indian Penal Code and under the Special and local laws.

(b) All the Second and Third Class Cases arising in the Shimoga Town under the Indian Penal Code and all the Special and local laws.

(c) All the Second and Third Class Cases of the Shimoga Taluk (excluding Bhadravathi Town and Range) under the Indian Penal Code and under the Special and local laws including the Mysore Excise and Forest Acts

(d) All Committal Cases of Thirthahalli Taluk, Shimoga Town and Taluk (excluding Bhadravathi Town and range)

All the Second and Third Class Cases arising in the Talukes of Chennagiri, Honnali and Tirthahalli and the Kunsi Sub Taluk under the Indian Penal Code and all the Special and local laws

) All Committal Cases of Chennagiri and Honnali Talukes and the Kunsi Sub Taluk.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

First Class Magistrate's Court — Bhadravathi

All the cases of First, Second and third Classes arising in Bhadravathi Town and Range under the Indian Penal Code and the Special and local laws.

By Order

29-12-47

Secretary to Govt
Law Dept

To.

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Copy to (1) The Reg Hon Court Sangh

P 4566 (2) The DM Shimoga
CS

(3) The I.G. of Police

The territorial jurisdiction of the above three Criminal Courts in the Shimoga District as modified above will be as follows:-

Sl. No.	Name of Court	Station	Territorial Jurisdiction.
1.	First Magistrate's Court.	Shimoga	(a) All the First Class cases arising in the taluks of Channagiri, Honnali and Thirthahalli and the Kumsi Sub Taluk and in the Shimoga Town and the Shimoga Taluk (excluding Bhadravati Town and range) under the Indian Penal Code and under the special and local laws. (b) All the second and third class cases arising in the Shimoga Town under the Indian Penal Code and all the Special and local laws. (c) All the second and third class cases of the Shimoga Taluk (excluding Bhadravati Town and range) under the Indian Penal Code and under the Special and local laws including the Mysore Excise and Forest Acts (d) All committal cases of Thirthahalli Taluk, Shimoga Town and Taluk (excluding Bhadravati Town and range)
2.	Second Magistrate's Court.	Shimoga	(a) All the second and third class cases arising in the Taluks of Channagiri, Honnali and Tirthahalli and the Kumsi Sub Taluk under the Indian Penal Code and all the Special and local laws. (b) All committal cases of Channagiri and Honnali Taluks and the Kumsi Sub Taluk.
3.	First Class Magistrate's Court.	Bhadravati	All the cases of First, second and third classes arising in Bhadravati Town and Range under the Indian Penal Code and the special and local laws.

By order,

M. K. Haradaraju

Secretary to Government.
Law Department.

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